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Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

SENATE BILL 1034

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3208; RELATING TO HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-3208, to read:

4 32-3208. Psychiatric medication; prescriptions; children;
5 information

6 A. BEFORE A PHYSICIAN LICENSED PURSUANT TO CHAPTER 13 OR 17 OF THIS
7 TITLE PRESCRIBES A PSYCHIATRIC MEDICATION THAT IS PAID FOR IN WHOLE OR IN
8 PART WITH STATE MONIES AND THAT IS FOR A CHILD UNDER EIGHTEEN YEARS OF AGE,
9 THE PHYSICIAN MUST:

10 1. PERFORM A MEDICAL EVALUATION OF THE CHILD.

11 2. OBTAIN INFORMED CONSENT FROM THE CHILD'S PARENT OR GUARDIAN.

12 3. PROVIDE THE CHILD'S PARENT OR GUARDIAN WITH AT LEAST THE FOLLOWING
13 INFORMATION:

14 (a) THE CHILD'S CONDITION OR SYMPTOMS FOR WHICH THE MEDICATION IS
15 BEING PRESCRIBED.

16 (b) THE TREATMENT'S INTENDED OUTCOMES, EXPECTED BENEFITS AND POTENTIAL
17 SIDE EFFECTS.

18 (c) ALTERNATIVES TO THE PROPOSED TREATMENT.

19 (d) THE TREATMENT'S LIKELIHOOD OF SUCCESS.

20 (e) THE PARENT'S OR GUARDIAN'S RIGHT TO WITHHOLD OR WITHDRAW CONSENT.

21 (f) THE LIKELY OUTCOME AND RISKS OF NOT TREATING THE CHILD WITH
22 MEDICATION.

23 (g) AN ACKNOWLEDGEMENT THAT THERE MAY BE UNKNOWN RISKS WITH USE OF THE
24 MEDICATION.

25 B. IF MEDICATION IS PRESCRIBED PURSUANT TO SUBSECTION A, THE PARENT OR
26 GUARDIAN MUST BE GIVEN DIRECTIONS FOR ADMINISTERING THE MEDICATION AND WHICH
27 SYMPTOMS THE PARENT OR GUARDIAN MUST MONITOR.

28 C. MEDICATION PRESCRIBED PURSUANT TO SUBSECTION A MUST BE DISCONTINUED
29 PROMPTLY IF CONSENT FOR TREATMENT IS WITHDRAWN BY THE PARENT OR GUARDIAN. IF
30 ABRUPT DISCONTINUATION COULD POTENTIALLY RESULT IN ADVERSE EFFECTS, THE
31 PHYSICIAN SHALL ADVISE THE PARENT OR GUARDIAN AND WITHDRAW MEDICATION AS
32 QUICKLY AS CLINICALLY APPROPRIATE.

33 D. THIS SECTION DOES NOT APPLY TO THE PATIENTS BEING TREATED FOR
34 SEIZURE DISORDERS.